

June 3, 2002

Bill Douros
Superintendent, MBNMS
299 Foam Street
Monterey, CA 93940

Stephanie Harlan
Chair, MBNMS SAC
299 Foam Street
Monterey, CA 93940

Dear Bill and Stephanie:

The Business and Tourism Activity Panel (BTAP) wishes to make the following comments to the Sanctuary's staff and Advisory Council (SAC) regarding the recent and proposed arrival of cruise ships into Monterey Bay. As you are aware, the presence of cruise ships, and large naval ships, into Monterey Bay is not a new activity since the Sanctuary's inception, nor is it an illegal activity under current Sanctuary regulations. In fact, cruise ships are supported by the California Coastal Act and the State of California Tidelands "Doctrine of the Public Trust" that states "state-owned or granted tidelands shall be used for commerce, fisheries, or navigation". Cruise ship visits are also supported in principal by the Sanctuary Act and the Monterey Bay National Marine Sanctuary Management Plan, with as stated goals, the "facilitation of multiple uses", "education", and the "preservation of cultural resources" - the maritime history of this region being an important cultural resource. The BTAP would like to make the following recommendations:

The SAC should adopt a welcoming posture for cruise ship visits and work diligently to maximize the educational, economic, and cultural opportunities inherent in such visits.

Any cruise ship considering coming to Monterey Bay should be fully informed by Sanctuary staff as to the laws of the Sanctuary, and other pertinent State and Federal laws. However, the Sanctuary should not use its authority to request that a cruise ship company go beyond the law, as this would be inappropriate, and more importantly, would create a precedent for the use of the Sanctuary authority that may be hard to live with in the future. The Sanctuary should seek to educate the cruise ship industry as to the special status of our resources.

Cruise ships should provide, to the Regional Water Control Board, records of their discharge (or lack thereof) while in Sanctuary waters, to verify compliance with the law. We recommend that the sanctuary staff obtain a copy. Further monitoring of the lawful compliance of the cruise ships may be considered. The SAC should acknowledge the City of Monterey for providing up to \$1000 for scientifically valid monitoring of cruise ships while in Monterey Bay - and encourage the City to provide leadership to the effort to get monitoring funding commitments from other agencies, Chambers of Commerce, etc. This acknowledgment should also extend to any other agency that also provides funds for scientific monitoring.

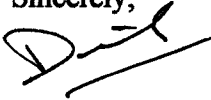
While it is not appropriate for the Sanctuary to use its authority to publicly request that a business go beyond the law, it would not be inappropriate for this area's business and tourism community to request a broader area of "no discharge" by cruise ships than current law allows. Their voice, representing the area's economic interests, would carry a powerful message to the cruise ship industry.

P. 2

The Sanctuary staff and SAC should consider support for State or National cruise ship industry policy changes that are based on sound scientific research. It does appear that there is more research, which needs to be done to know if certain currently legal discharges are in fact harmful to the environment.

Lastly, with the events of 9/11, many Americans are looking to travel within the boundaries of the U.S.A. Cruise ships have been, and will continue to sail through Sanctuary waters. Given the downturn in the tourism industry, this opportunity to boost our local economy will have measurable positive benefits to the Sanctuary and those businesses that operate within or near its boundaries. The question is: "Does the Monterey region and the Sanctuary wish to benefit from this opportunity?" We believe that the economic and educational opportunities can enrich both the Sanctuary and business communities.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David Ebert', with a stylized flourish extending from the end.

David Ebert

Chair, Business and Tourism Activity Panel